

Message Text

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ACTION EA-14

INFO OCT-01 ADP-00 SSO-00 NSCE-00 USIE-00 INRE-00 DPW-01

IO-12 CIAE-00 DODE-00 PM-09 H-02 INR-10 L-03 NSAE-00

NSC-10 PA-03 RSC-01 PRS-01 SS-15 RSR-01 /083 W
----- 065444

O 151050 Z MAY 73

FM AMEMBASSY SAIGON

TO SECSTATE WASHDC IMMEDIATE 1704

C O N F I D E N T I A L SAIGON 8578

E. O. 11652 GDS

TAGS: PFOR, PINT, VS

SUBJECT: FPJMT/TPJMC

REF: A. STATE 091812 B. SAIGON 8403

1. RE PRIVILEGES AND IMMUNITIES, THERE IS CURRENTLY NO DEFINITIVE "LATEST VERSION" OF 11 POINTS SINCE BOTH SIDES HAVE, AT DIFFERENT TIMES, TABLED VARIOUS DRAFTS, ALL OF WHICH ARE MODIFICATIONS OF ORIGINAL FPJMC AGREED POINTS. DEISCUSSION ON THE 11 POINTS CONTINUES, RATHER FITFULLY, WITHIN THE TPJMC SUBCOMMISSION ON PROCEDURES, WITH NO EARLY AGREEMENT IN SIGHT.

2. EMBASSY HAS JUST RECEIVED UPDATED VERSION OF RVN DRAFT WHICH IS CURRENTLY BEING TRANSLATED. PRELIMINARY SURVEY OF THIS DOCUMENT INDICATES THAT RVN CONTINUES TO FAVOR A VERSION OF THE ORIGINAL FOUR PARTY JOINT MILITARY COMMISSION DOCUMENT WHICH GENERALLY WOULD MINIMIZE OR ELIMINATE PRG CLAIMS TO DIPLOMATIC IMMUNITIES AND PRIVILEGES OR OTHER REFERENCES WHICH WOULD APPEAR TO CONFER LEGITIMACY ON PRG. KEY FEATURES OF RVN DRAFT ARE DELETION IN ITS ENTIRETY OF PARAGRAPH 5 AND THE DELETION, WHEREVER IT AP-
PEARS IN THE ORIGINAL FPJMC DOCUMENT, OF THE PHRASE, " IN IT AREA OF CONTROL, WHERE SUCH TERMINOLOGY WOULD BY IMPLICATION APPEAR TO CONCEDE TERRITORY TO THE PRG. EMBASSY WILL FOREARD FULL TEXT OF RVN DRAFT, IN TRANSLATION, AS SOON AS AVAILABLE.

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3. RE LIST OF CIVILIAN DETAINEES, EMBASSY CONFIRMS DEPARTMENT IMPRESSION THAT LISTS OF DETAINEES WERE PROVIDED PIECEMEAL AS RELEASES PROCEEDED, AND NOT IN ADVANCE. TWO PARTIES IN TPJMC AGREED ON GENERAL PROCEDURE WHEREBY LISTS OF THOSE TO BE RELEASED BY ONE SIDE WOULD BE GIVEN TO RECEIVING SIDE 24 HOURS IN ADVANCE. TO BEST OF OUR KNOWLEDGE, THIS PROCEDURE HAS BEEN FOLLOWED THROUGH-
OUT. IN THE CASE OF RELEASES BY PRG, THIS HAS BEEN MADE POSSIBLE BY USUAL ARRANGEMENT FOR ICCS AND JMC RECONNAISSANCE OF RELEASE SITE ON PREVIOUS DAY. GVN HAS NOT GIVEN PRG ANY NAMES FROM LIST OF 5,081 BEYOND THOSE ALREADY RELEASED.

4. ON SAME SUBJECT, DEPUTY DIRECTOR OF CABINET IN THE MINISTRY OF INTERIOR, MR. NGUEYN TRUNG THOAI, CONFIRMED THAT EX- DEPUTY TRAN NGOC CHAU AND HIS BROTHER TRAN NGOC HIEN WERE NOT RPT NOT ON THE LIST OF 750 DETAINEES HANDED OVER INITIALLY TO THE COMMUNIST SIDE. (SEE SAIGON 8403.) HOWEVER, THOAI SAID THAT BOTH WILL PROBABLY BE INCLUDED IN THE LIST OF 500 NOW UNDER PREPARATION AS THE SECOND INCREMENT. CHAU'S LETTER REQUESTING RELEASE IN RVN TERRITORY WILL BE GIVEN CONSIDERATION, THOAI IMPLIED, BUT HE GAVE NO INDICATION OF THE PROBABLE RESULT. ACCORDING TO THOAI, CHAU DID NOT SPECIFICALLY REQUEST CHIEU HOI STATUS, AND THOAI KNEW OF NO COMPARABLE LETTER FROM HIEN.
WHITEHOUSE

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*** Current Handling Restrictions *** n/a
*** Current Classification *** CONFIDENTIAL

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 15 MAY 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973SAIGON08578
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS WHITEHOUSE
Errors: n/a
Film Number: n/a
From: SAIGON
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730543/aaaajdov.tel
Line Count: 88
Locator: TEXT ON-LINE
Office: ACTION EA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 73 STATE 91812, 73 SAIGON 8403
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 06 DEC 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <06-Dec-2001 by shawdg>; APPROVED <28-Dec-2001 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> gwr 980211
Subject: FPJMT/TPJMC
TAGS: PFOR, PINT, VS, PFOR, PINT
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005